

**SUPREME COURT MINUTES  
WEDNESDAY, JANUARY 27, 1999  
SAN FRANCISCO, CALIFORNIA**

S062875      People, Respondent

3rd Dist.          v.

C022199      Christina Murillo, Appellant

The above-entitled review is hereby transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Davis* (1998) 19 Cal.4th 401.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S066244      People, Respondent

5th Dist.          v.

F026754      Steven Robert Nelms, Appellant

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fifth Appellate District.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S072712 People, Respondent

4th Dist. v.

D027853 Thomas Ingram, Appellant

Div. 1 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fourth Appellate District, Division One.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S009522 People, Respondent

v.

Lester Robert Ochoa, Appellant

Petition for rehearing DENIED.

Opinion modified.

S075472 Florence Nzongola, Petitioner

v.

Court of Appeal, Sixth Appellate District, Respondent

Santa Clara County Superior Court, Real Party in Interest

Petition for writ of mandate DENIED.

S075713 Rodney Calvin Jones, Petitioner

v.

Court of Appeal, Second Appellate District, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

Application for stay denied.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S068311 - In re Jorge Luis Rodriguez Perez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S068789 - In re Julian R. Chacon on Habeas Corpus. Petition for writ of habeas corpus is DENIED.  
Mosk, J., is of the opinion an order to show cause should issue.
- S069227 - In re Julian Chacon on Habeas Corpus.
- S070079 - In re Michael Allen Sweet on Habeas Corpus.
- S071290 - In re Henry Cartwright on Habeas Corpus.
- S071573 - In re Clarence Warren on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071595 - In re Marvin Lee James on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)  
Mosk, J., is of the opinion an order to show cause should issue.
- S071686 - In re Jacques Pierre Padilla on Habeas Corpus.
- S071722 - In re Samuel Lee Williams on Habeas Corpus.
- S071724 - In re Leoncio Aguilar on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S071729 - In re Dennis S. Crabtree on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)

- S071743 - In re Claude Shoemake on Habeas Corpus.
- S071745 - In re Ernest Preston Byas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071765 - In re John Richard Gibson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S071776 - In re Michael A. Sepulveda on Habeas Corpus.
- S071785 - In re Timothy Leon Robinson on Habeas Corpus.
- S071791 - In re Robert Sanchez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071796 - In re Terrell Collins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071805 - In re Manuel Ojeda Gomez on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S071806 - In re Johnny L. McCrary on Habeas Corpus.
- S071811 - In re Terry L. Brock on Habeas Corpus.
- S071814 - In re J.R. Willkerson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.) Mosk, J., is of the opinion an order to show cause should issue.
- S071839 - In re Daniel E. Soltero on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071841 - In re Alonso McKinney on Habeas Corpus.
- S071853 - In re Teodocio Rubio, Sr. on Habeas Corpus.

- S071866 - In re William Fowler on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S071868 - In re James Morrow on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071879 - In re Ronald B. Butler on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S071903 - In re Charles Walter Martin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071906 - In re Michael L. Burgers on Habeas Corpus.
- S071907 - In re Vinh Nguyen on Habeas Corpus.
- S071908 - In re Ray Byron Ford on Habeas Corpus.
- S071911 - In re Raul Alvarez Hernandez on Habeas Corpus.
- S071912 - In re William Clarence Fuller on Habeas Corpus.
- S071939 - In re Gustavo Montalvo on Habeas Corpus.
- S071954 - In re Alfonso Mouzon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S071974 - In re Cecilio Chavez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071978 - In re Joseph Nichols on Habeas Corpus.
- S071983 - In re Jesus Duran Reyes on Habeas Corpus.
- S071988 - In re Kevin Gipson on Habeas Corpus.

- S071997 - In re Derrick Reynard Gaye on Habeas Corpus.
- S072008 - In re Abel Moreno Ardez on Habeas Corpus.
- S072014 - In re Juan Franco on Habeas Corpus.
- S072015 - In re Lawrence R. Moyer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072017 - In re Lee Wise on Habeas Corpus.
- S072029 - In re Leslie Z. Chadd on Habeas Corpus.
- S072030 - In re Stanley Davis on Habeas Corpus.
- S072031 - In re Leonard Joseph Mejia on Habeas Corpus.
- S072034 - In re Michael J. Daniels on Habeas Corpus.
- S072039 - In re Vladimir Tukan on Habeas Corpus.
- S072040 - In re Ernest Anthony Graves on Habeas Corpus.
- S072042 - In re Charles Ray on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072043 - In re Louis J. Broussard on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072051 - In re Richard Thorpe on Habeas Corpus.
- S072053 - In re Toney McGee on Habeas Corpus.
- S072057 - In re Arturo Chaidez Alderette on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S072061 - In re Marcus Boyce Pelham on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S072063 - In re Karl M. Lee on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S072070 - In re Esteban Varelas on Habeas Corpus.
- S072078 - In re Jack Vo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072079 - In re Peter Silverbrand on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072083 - In re Robert Newton on Habeas Corpus.
- S072085 - In re Allan E. Serpa on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S072102 - In re Maurice Douglas Jones on Habeas Corpus.
- S072105 - In re Larry Jones on Habeas Corpus.
- S072106 - In re William C. McDowell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S072108 - In re Phillip Morris, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072109 - In re Eric Robinson on Habeas Corpus.

- S072114 - In re Marcelino D. Javier on Habeas Corpus.
- S072120 - In re Edward L. Burroughs on Habeas Corpus.
- S072124 - In re Marcus Samuel Diggs on Habeas Corpus.
- S072129 - In re Charles Ray on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072134 - In re Rondell L. Webb on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S072135 - In re Damien James Melton on Habeas Corpus.
- S072137 - In re Clayton Wellington Walker on Habeas Corpus.
- S072139 - In re Kyeron Victor Bennett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S072144 - In re Ruben Zavala on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S072154 - In re Jose Daniel Lerma on Habeas Corpus.
- S072167 - In re Lonzell Green on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S072170 - In re Richard Napoleon Brown on Habeas Corpus.
- S072173 - In re Jerry N. Findley on Habeas Corpus.
- S072197 - In re Maximino Hayag Sandoval on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)



- S072202 - In re William Edward O'Donnell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S072204 - In re Bay Edward McNeil on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S072209 - In re Ricky Napoleon Hall on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S072219 - In re Upumoni Ama on Habeas Corpus.
- S072222 - In re Gregory A. Bogan on Habeas Corpus.
- S072226 - In re Edward Lee Thomas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S072230 - In re Donnie R. Phillips on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S072232 - In re Charles Doss on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S072260 - In re Eric Stewart Nelson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S072311 - In re Caesar B. Menendez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S072318 - In re Alonso McKinney on Habeas Corpus.
- S072324 - In re Jack Vo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

- S072757 - In re Gustavo Montalvo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S072773 - In re Stanley J. Crump on Habeas Corpus.
- S073726 - In re Eugene R. Platt on Habeas Corpus.
- S073755 - In re Clarence Eugene Rowan on Habeas Corpus.
- S073761 - In re Gary D. Mosbarger on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S073765 - In re Gary V. Jernigan on Habeas Corpus.
- S073775 - In re Gordon Nash Corrales, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S073813 - In re Donald Edward Breen on Habeas Corpus.
- S073818 - In re Mitchell Johnson on Habeas Corpus.
- S073829 - In re Donald Ray Lewis on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S073868 - In re Nancy Carvalho on Habeas Corpus.
- S073869 - In re Scotty MacArthur on Habeas Corpus.
- S073942 - In re Dexter Malik Shabazz on Habeas Corpus.
- S073950 - In re D.L. Taylor on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S073955 - In re Carl Eric Collier on Habeas Corpus.
- S073962 - In re Otis Telbert Berthey on Habeas Corpus.

- S073961 - In re Isaac Flores on Habeas Corpus.
- S074212 - In re Michael Jerome Israel on Habeas Corpus.
- S074226 - In re Taurus D' Antignac on Habeas Corpus.
- S074228 - In re David Diller on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S074250 - In re Paul Lacy on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S074274 - In re Antonio L. Walker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S074276 - In re David Boston on Habeas Corpus.
- S074346 - In re Curtis A. McCowan on Habeas Corpus.
- S074357 - In re Timothy Wilson Myers on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S074376 - In re Thomas Wilson Baxter on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S074392 - In re Neil A. LeFevre on Habeas Corpus.
- S074409 - In re John Correll Montue on Habeas Corpus.
- S074444 - In re Joseph M. Wasco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S074474 - In re Gary Mosbarger on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S074475 - In re Teddy S. Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074512 - In re Thor B. Jenkins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S074533 - In re Richard Morgan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074548 - In re David Charles Guisti on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074680 - In re Tommy Lee Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074699 - In re Richard Morgan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074967 - In re Alonzo McKinney on Habeas Corpus.
- S075038 - In re Maurice W. Elias on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S075198 - In re Robert Mark Lundberg on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S075238 - In re Timothy O'Neil Charity on Habeas Corpus.
- S075279 - In re Isaac Flores on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S075280 - In re James Menefield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)

- S075304 - In re Johnnie Moore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S075306 - In re Henry B. Bratton, III on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Clark* (1993) 5 Cal.4th 750.)
- S075411 - In re Humberto Lopez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S075417 - In re Rene L. Cage on Habeas Corpus.
- S075426 - In re Michael A. Christopher on Habeas Corpus.
- S075427 - In re William Norberg on Habeas Corpus.
- S075549 - In re Tyrone Lowe on Habeas Corpus.
- S075560 - In re Larry Dean Bailey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S075563 - In re Anthony Wayne Williams on Habeas Corpus.
- S075565 - In re Boukhalfa Benjamina on Habeas Corpus.
- S075627 - In re Timothy O'Neil Charity on Habeas Corpus.
- S075688 - In re Joe Luis Corea on Habeas Corpus.
- S075820 - In re Errell Glenn Heflin on Habeas Corpus.
- S076073 - In re Kevin George Anton on Habeas Corpus. Application for stay and petition for writ of habeas corpus DENIED.
- S076418 - In re David Pool on Habeas Corpus.

1st Dist. People, Respondent  
A077762 v.  
Div. 2 Andrew Sevey, Appellant  
S074723 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077791 v.  
Div. 3 Freddie Elrod, Appellant  
S075550 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

1st Dist. Dustin Phillip Smyth, a Minor, etc. et al., Appellants  
A078323 v.  
Div. 2 Flightcraft Inc., Respondent  
S075168 Appellants' petition for review DENIED.

1st Dist. Cammerin K. Boyd et al., Appellants  
A079761 v.  
A080055 Toyota Motor Sales U.S.A. Inc., et al., Respondents  
Div. 1 Appellants' petition for review DENIED.  
S075628

1st Dist. People, Respondent  
A079803 v.  
Div. 5 James D. Harrison, Appellant  
S075486 Appellant's petition for review DENIED.

1st Dist. Empire Waste Management, Appellant  
A079840 v.  
Div. 4 Town of Windsor, Respondent  
S075265 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent  
A080386 v.  
Div. 1 Henry Amaeshi Nwozuzu, Appellant  
S075508 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

1st Dist. A080645 Div. 1 S075505	M. Thomas Risner et al., Appellants v. World Savings and Loan Association, Respondent Petition for review DENIED.
1st Dist. A081010 Div. 5 S075641	Estate of William McKinley ----- Ruth W. Taylor, Respondent v. Jacqueline Bradley, Appellant Appellant's petition for review DENIED.
1st Dist. A081798 Div. 4 S075440	People, Respondent v. Nathaniel Gulley, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
1st Dist. A082888 Div. 5 S074833	People, Respondent v. Anthony Chi Wai Mak, Appellant Appellant's petition for review DENIED. Mosk, J., and Kennard, J., are of the opinion the petition should be granted.
1st Dist. A084286 Div. 3 S075298	Household Credit Services Inc. et al., Petitioners v. San Francisco City and County Superior Court, Respondent John Chu, Real Party in Interest Petition for review DENIED.
1st Dist. A084300 Div. 1 S075383	Bennett Consolidated, Appellant v. Marcus K. Partin, Respondent Appellant's petition for review DENIED.

1st Dist. Local 21 of the International Federation et al., Petitioners  
A084723 v.  
Div. 3 San Francisco County Superior Court, Respondent  
S075476 Golden Gate Bridge et al., Real Parties in Interest  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

1st Dist. Nicholas Tacy, Petitioner  
A085172 v.  
Div. 5 San Francisco County Superior Court, Respondent  
S075518 J. Michael Shaughnessy, Respondent  
Application for stay and petition for review DENIED.

2nd Dist. People, Respondent  
B104623 v.  
Div. 3 William Little Anderson, Appellant  
S074713 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108373 v.  
Div. 6 Cleveland Scott Jenkins, Appellant  
S074844 Appellant's petition for review DENIED.

2nd Dist. Century West Financial Corporation, Respondent  
B108458 v.  
Div. 2 6420 Wilshire Associates et al., Appellants  
S075169 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B111674 v.  
Div. 5 Reginald Batiste, Appellant  
S074526 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B111930 v.  
Div. 3 Antrone Saddler, Appellant  
S075339 Appellant's petition for review DENIED.



2nd Dist. B112640 Div. 3 S075429	People, Respondent v. Gary Bradley, Appellant Appellant's petition for review DENIED.
2nd Dist. B113751 Div. 3 S075430	In re Paul V., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Paul V., Appellant Appellant's petition for review DENIED.
2nd Dist. B114274 Div. 1 S074684	Mark K., Appellant v. Roman Catholic Archbishop of Los Angeles, Respondent Appellant's petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
2nd Dist. B114593 Div. 1 S074614	People, Respondent v. Lorenzo Foreman, Appellant Appellant's petition for review DENIED.
2nd Dist. B114866 Div. 4 S075439	People, Respondent v. Erskine F. Mack et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B115092 Div. 4 S075495	People, Respondent v. Colin Johnson, Appellant Appellant's petition for review DENIED.
2nd Dist. B115127 Div. 5 S075482	People, Respondent v. Darryl Young, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B115811 v.  
Div. 5 Earl Wayne Westbrook, Appellant  
S075491 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B115817 v.  
Div. 2 Christopher Robert Thornton et al., Appellants  
S074841 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B116098 v.  
Div. 5 Antonio F. Lagunas, Appellant  
S075499 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B116174 v.  
Div. 3 Ricky Lee Ruiz, Appellant  
S075285 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B116290 v.  
Div. 4 Brad Tarrell Conway, Appellant  
S075436 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B116301 v.  
Div. 3 Rafael Ajedo, Appellant  
S075525 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B116590 v.  
Div. 3 Dwayne McKesson, Appellant  
S075381 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B117501 v.  
Div. 4 Nathaniel Washington, Appellant  
S075438 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118150 v.  
Div. 4 Grach Madatyan, Appellant  
S075574 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118393 v.  
Div. 1 Lee Anthony Outlaw, Appellant  
S075448 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118556 v.  
Div. 1 Harry C. Medina Jr., Appellant  
S074899 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118662 v.  
Div. 5 Pedro Torres, Appellant  
S075470 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118888 v.  
Div. 4 Michael Jeff Villasenor, Appellant  
S075435 Appellant's petition for review DENIED.

2nd Dist. In re Maree H., a Person Coming Under the Juvenile Court Law  
B118996 -----  
Div. 7 Department of Children & Family Services, etc., Respondent  
S075516 v.  
Maree H., Appellant  
Petition for review DENIED.

2nd Dist. People, Respondent  
B119194 v.  
Div. 5 James Pierce, Appellant  
S075531 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Cleave Goodson, Appellant  
B119221 v.  
Div. 2 Perfect Fit Enterprises Incorporated, Respondent  
S075200 Respondent's petition for review DENIED.

2nd Dist. People, Respondent  
B120390 v.  
Div. 5 Jerry Hawkins, Appellant  
S075428 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B120519 v.  
Div. 4 Denver Gonzalez Gomez, Appellant  
S075462 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B120608 v.  
Div. 5 Theodis Thompson, Appellant  
S075485 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B120944 v.  
Div. 4 Jerome Bradford, Appellant  
S075434 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B121718 v.  
Div. 1 Varian Zeghtchanian, Appellant  
S075371 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123780 v.  
Div. 5 Jerry Carlwell Funches, Appellant  
S074362 Appellant's petition for review DENIED.

2nd Dist. Leslie R. Watkins, Appellant  
B125020 v.  
Div. 1 Archdiocese of Los Angeles Education & Welfare, etc., Respondent  
S074889 Appellant's petition for review DENIED.

2nd Dist. Frank Soto, Petitioner  
B126318 v.  
Div. 4 Workers' Compensation Appeals Board et al., Respondents  
S075437 Robbie Brown, Respondent  
Petition for review DENIED.

2nd Dist. Jansko Incorporated et al., Petitioners  
B127036 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S074998 Chrysler Corporation, Real Party in Interest  
Petition for review DENIED.

2nd Dist. In re Vester L. Patterson  
B127485 on  
Div. 7 Habeas Corpus  
S075492 Petition for review DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

2nd Dist. Alfredo J. Reyes, Petitioner  
B127788 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S075468 Federal National Mortgage Association, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Robert F. Slack, Petitioner  
B128612 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S076101 Foreign Legion Works, Inc. et al., Real Parties in Interest  
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent  
C023350 v.  
S074665 Timothy Ray Jones, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C024338 v.  
S074523 Kenneth Randall Graham, Sr. et al., Appellants  
Appellants' petitions for review DENIED.

3rd Dist. People, Respondent  
C024735 v.  
S075546 Michael John Santos Walters, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Anne Z. Applegate, Appellant  
C025385 v.  
S075738 Sacramento County Department of Human Assistance, Respondent  
Petition for review DENIED.

3rd Dist. People, Respondent  
C026999 v.  
S075562 Thomas Charles Francioni, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C027523 v.  
S074858 Antoine Wallace Harris, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C027846 v.  
S075576 Matthew Ernest Schulkins, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C027889 v.  
S075463 Raul Alvarez Hernandez, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C028000 v.  
S075580 Rudolph Pedro Leader, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Sunsweet Growers Inc., Respondent  
C028259 v.  
S075270 Water Science Technologies, Inc. et al., Appellants  
Appellants' petition for review DENIED.

3rd Dist. In re Nicholas Steven C., a Person Coming  
C028907 Under the Juvenile Court Law  
S075504 -----  
People, Respondent  
v.  
Nicholas Steven C., Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Erika E., Persons Coming Under the Juvenile Court Law  
C028914 -----  
S075356 Butte County Children's Services Division, Respondent  
v.  
Dawn E., Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Robert J. Salmon  
C031288 on  
S075480 Habeas Corpus  
Petition for review DENIED.

4th Dist. People, Respondent  
D027416 v.  
Div. 1 Edward Estrada, Appellant  
S075501 Appellant's petition for review DENIED.

4th Dist. In re David J. Genzler on Habeas Corpus  
D028150 -----  
D031285 People, Respondent  
Div. 1 v.  
S074986 David J. Genzler, Appellant  
Respondent's petition for review DENIED.

4th Dist. People, Respondent  
D028189 v.  
Div. 1 Jerry Garcia, Appellant  
S075544 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D028570 v.  
Div. 1 Willie Tyrone Shipley, Appellant  
S075561 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D028644 v.  
Div. 1 Jeanette Baltazar, Appellant  
S075542 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D028879 v.  
Div. 1 Alonzo Milton Riley, Appellant  
S075503 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029078 v.  
D030807 Frankie Llamas, Appellant  
Div. 1 -----  
S074667 In re Frankie Llamas on Habeas Corpus  
Petition for review DENIED.

4th Dist. People, Respondent  
D029164 v.  
Div. 1 Billy L. Titus, Jr., Appellant  
S074797 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029606 v.  
Div. 1 Mark Timothy Johnson, Appellant  
S075477 Appellant's petition for review DENIED.



4th Dist. D030600 Div. 1 S075500	People, Respondent v. Guy Patton Watts, Appellant Appellant's petition for review DENIED.
4th Dist. E016735 Div. 2 S065531	People, Respondent v. Willie Ray Griffin et al., Appellants Appellants' petitions for review DENIED. Mosk, J., is of the opinion review should be granted.
4th Dist. E019030 Div. 2 S075377	Charles L. Johnson, Appellant v. Desert Hospital et al., Respondents Appellant's petition for review DENIED.
4th Dist. E021088 Div. 2 S075557	People, Respondent v. Jerome Thomas, Appellant Appellant's petition for review DENIED.
4th Dist. E021592 Div. 2 S075474	People, Respondent v. Michael Dwayne Weaver, Appellant Appellant's petition for review DENIED.
4th Dist. G018204 Div. 3 S075159	Lawrence Saks, M.D., Appellant v. Hubbard & Militzok Parilla et al., Appellants Petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.

4th Dist. Robert S. Cunningham, Petitioner  
G021233 v.  
G021948 Orange County Superior Court, Respondent  
Div. 3 Fountain Valley Chateau Blanc Mgt. Assoc., Real Party in Interest  
S075233 And Companion Case  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.  
The requests for an order directing depublication of the opinion  
are DENIED.

4th Dist. People, Respondent  
G021513 v.  
Div. 3 Daniel Lavin Ruiz, Appellant  
S075471 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G021617 v.  
Div. 3 Michael Robert Andrews, Appellant  
S075506 Appellant's petition for review DENIED.

4th Dist. Donna Ray Dilday, Appellant  
G023711 v.  
Div. 3 Dorothy Ellen Hackathorn, Respondent  
S075118 Appellant's petition for review DENIED.

5th Dist. In re Jessie Farias on Habeas Corpus  
F025710 -----  
F028690 People, Respondent  
S074664 v.  
Jessie Farias, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027893 v.  
S074695 Reuben Clayborn Dossman III, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F028025 v.  
S075618 Rudy Harris, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

5th Dist. Jean Means, Appellant  
F028091 v.  
S075365 John Sirabian, Respondent  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F029136 v.  
S075517 Arthur John Suniga, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F029157 v.  
S075537 Dionne R. Cobb, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F029176 v.  
S075514 Stephen Patrick Mulvihill, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016033 v.  
S074792 Alex Lara Acevedo, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016363 v.  
S074503 Michael Anthony Lockhart, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H017555 v.  
S075522 Michael Anthony Parra, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H017873 v.  
S075600 Marco Polo Aguilar, Appellant  
Appellant's petition for review DENIED.

6th Dist. Estate of Dorothy E. Cross, Deceased  
H018849 -----  
S074164 Nancy Jewell Cross, Appellant  
v.  
Mary Ann Z. Murphy, etc. et al., Respondents  
Petition for review DENIED.

6th Dist. In re Tammy R. Garvin  
H019202 on  
S074632 Habeas Corpus  
Petition for review DENIED.

1st Dist. 24-Hour Fitness et al., Petitioners  
A079501 v.  
Div. 3 Sonoma County Superior Court, Respondent  
S074836 Sierra Munshaw, Real Party in Interest  
The requests for an order directing depublication of the opinion  
in the above entitled case are DENIED.  
Mosk, J., is of the opinion the requests should be granted.

1st Dist. Robert Half International Inc., Appellant  
A079671 v.  
Div. 5 Franchise Tax Board, Respondent  
S074796 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. William R. Hearst, II, Appellant  
B118323 v.  
Div. 3 Estate of William Randolph Hearst, Deceased  
S074278 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Lisa G., Petitioner  
B122221 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S075060 L.A. County Dept. of Children & Family Svc., Real Party in Interest  
The request for an order directing publication of the opinion in the above entitled cause is DENIED.

4th Dist. Smith Kandal Real Estate, Appellant  
D028511 v.  
Div. 1 Continental Casualty Company, Respondent  
S075419 The request for an order directing depublication of the opinion in the above entitled cause is DENIED.

3rd Dist. People  
C031013 v.  
Fausto Gomez Santana  
The time for granting or denying review on the court's own motion is hereby extended to and including March 4, 1999, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

2nd Dist. United Commercial Corporation, Appellant  
B096958 v.  
Div. 1 Linda S. Kaufman, Appellant  
S075195 The time for granting or denying review in the above-entitled matter is hereby extended to and including March 9, 1999, or the date upon which review is either granted or denied.

2nd Dist. People, Respondent  
B112509 v.  
Div. 7 David Eugene Hollins, Appellant  
S075121 The time for granting or denying review in the above cause is hereby extended to and including March 4, 1999, or the date upon which review is either granted or denied.

S022224 People, Respondent

v.

Darren Cornelius Stanley, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 18, 1999.

No further extensions of time will be granted.

S034725 In re Andre Burton

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's traverse to the return to the order to show cause is extended to and including February 16, 1999.

S060675 In re Robert Henry Nicolaus

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including April 19, 1999.

No further extensions of time are contemplated.

S070959 People, Respondent

v.

Julius Lamar Cox, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief on the merits is extended to and including February 19, 1999.

S071959 In re Danny McDowell

on

Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response to the petition for writ of habeas corpus is extended to and including February 26, 1999.

S074519 Mark Lee Wilcox et al., Appellants

v.

William Birtwhistle, M.D., Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief on the merits is extended to and including February 22, 1999.

S010775 People, Respondent

v.

Robert Lee Massie, Appellant

Having considered the suggestion by the California Appellate Project as amicus curiae to grant rehearing herein on our own motion, we decline to do so.

S016029 People, Respondent

v.

Jerry Kenneth Bailey, Appellant

The State Public Defender's motion to abate proceedings, filed on January 15, 1999, is granted. As indicated in a certified copy of a certificate of death, appellant Jerry Kenneth Bailey died on December 25, 1998. All proceedings in *People v. Jerry Kenneth Bailey*, case no. S016029, are permanently abated, and the Superior Court for the County of Alameda is directed to enter an order to that effect in case no. H-10158. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.)

S037992 In re John G. Brown

on

Habeas Corpus

The August 4, 1998, filing of petitioner's motion for ruling disposing of claims held in abeyance is hereby stricken.

S068488 In re Jose Arnaldo Rodriguez

on

Habeas Corpus

Petitioner's request for judicial notice filed October 19, 1998, is granted. The Clerk of the Court of Appeal of the First Appellate District is directed to transmit the record in *People v. Juan Robert Garcia*, case number A046912, when requested to do so by this court.

Bar  
Misc.  
4186

In the Matter of the Application of the Committee of Bar Examiners  
of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the  
following named applicants, who have fulfilled the requirements for  
admission to practice law in the State of California, be admitted to  
the practice of law in this state is hereby granted, with permission to  
the applicants to take the oath before a competent officer at another  
time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

Bar  
Misc.  
4186

In the Matter of the Application of the Committee of Bar Examiners  
of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the  
following named applicants, who have fulfilled the requirements for  
admission to practice law in the State of California, be admitted to  
the practice of law in this state is hereby granted, with permission to  
the applicants to take the oath before a competent officer at another  
time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)



